

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA, :  
:   
Plaintiff, :  
:   
v. : Crim. No. 05-18-JJF  
:   
ANDRES RODRIGUEZ, :  
:   
Defendant. :  
:

**MOTION TO EXTEND TIME FOR THE FILING OF**  
**DEFENDANT'S PRE-TRIAL MOTIONS**

The defendant, Andres Rodriguez, through his attorney, Penny Marshall, hereby moves this Honorable Court, to further extend time for the filing of pretrial motions to June 10, 2005.

1. Mr. Rodriguez was arraigned on a superceding indictment on April 28, 2005. Counsel was to file motions by May 26, 2005. The charges relate to events that occurred in May and July of last year and March of this year. The government provided 432 pages of discovery on May 6, 2005 in addition to 113 previous pages.

2. Counsel needs more time to confer with her client and review some of the actual tapes of conversations involved in this case to decide on motions, and additional time discuss what course of action should be taken in this matter. During the course of counsel's representation of Mr. Rodriguez, he has had health problems (including hospitalization) that have affected his ability to meet with counsel .

3. The defense contends that the ends of justice would be served by this continuance and thus the time would be excluded under the Speedy trial Act 18 U. S. C. 3161 et. Seq.

**WHEREFORE**, Defendant Rodriguez respectfully requests that the Court enter an Order in the form attached hereto permitting the filing as specified herein.

Respectfully submitted,

/s/ Penny Marshall  
Penny Marshall, Esquire  
Acting Federal Public Defender  
704 King Street. Suite 110  
Wilmington, DE 19801  
(302) 573-6010  
Attorney for Defendant Andres Rodriguez

Dated: May 26, 2005

**CERTIFICATE OF SERVICE**

Undersigned counsel certifies that a copy of Motion to Extend Time for the Filing of Defendant's Pre-trial Motions is available for public viewing and downloading and was electronically delivered on May 26, 2005 to:

Adam Safwat, Esquire  
Assistant United States Attorney  
The Nemours Building  
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Wilmington, DE 19801

/s/ Penny Marshall

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